

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTH DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re:)	Chapter 7
)	
John A. Popadiuk,)	Adversary No.: 20-00024
)	
Debtor,)	Hon. Carol P. Doyle
)	
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Kim Mitchell, Rommy Henley,)	
Raphael Zilch; Edward Storozuk,)	Bankruptcy Case No. 19-33336
Brian Sherman; and Joe Newhart)	
)	
Plaintiffs,)	
)	
v.)	
)	
John A Popadiuk, individually and d/b/a,)	
Zidware, Inc.,)	
)	
Defendant.)	

Notice of Motion

TO: Jeffrey Dan

PLEASE TAKE NOTICE that on January 28, 2021 at 10:00 a.m., I will appear before the Honorable Carol A. Doyle, or any judge sitting in that judge's place, and present the Unopposed Motion of the Plaintiffs to Extend Discovery Cutoff, a copy of which is attached.

This motion will be presented and heard electronically using Zoom for Government. No personal appearance in court is necessary or permitted. To appear and be heard on the motion, you must do the following:

To appear by video, use this link: <https://www.zoomgov.com/>. Then enter the meeting ID and password.

To appear by telephone, call Zoom for Government at 1-669-254-5252 or 1-646-828- 7666. Then enter the meeting ID and password.

Meeting ID and password. The meeting ID for this hearing is **161 155 8289** and the password is **Doyle742**. The meeting ID and password can also be found on the judge's page on the court's web site. If you object to this motion and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a

Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without a hearing.

**Kim Mitchell, Rommy Henley, Raphael Zilch,
Edward Storozuk, Brian Sherman, and Joe
Newhart**

By: /s/Bert Zaczek
One of Plaintiffs' attorneys
T: 312-527-1090
E: bert@bzlegal.net

Certificate of Service

I, Bert Zaczek, certify that I served a copy of this notice and the attached motion on each entity shown on the attached list at the address shown and by the method indicated on the list on October 20, 2020, at 8:00 p.m.

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Defendant.)	

Plaintiffs' Agreed Motion to Extend Discovery Cutoff

The Plaintiffs, Kim Mitchell, Rommy Henley, Raphael Zilch, Edward Storozuk, Brian Sherman, and Joe Newhart (“Plaintiffs”), by their attorneys, Bert Zaczek, Amy, Pikarsky, and Zane D. Smith & Associates, Ltd. state for their Agreed Motion to Extend Discovery Cutoff:

1. Discovery is set to close on January 20, 2021, the day this Motion is being filed. ECF No. 26. It was initially set to close on July 31, 2020. ECF 10. However, it was extended twice before (once after the Plaintiffs learned that they had sent their first set of discovery to an inaccurate email address for the Defendant’s attorney but never received an error message). ECF 22 and 26.

2. The Defendant's attorney has reported that he is close to completing the responses. Once that happens, the Plaintiff will be able to take the Defendant's deposition and determine if it needs anything from non-parties.

3. The Plaintiff would like to continue discovery through April 27, 2021.

4. The Defendant has no objection to granting this Motion. And no prejudice will result. The Plaintiff filed the case on January 14, 2020. ECF No. 1. An additional attorney for the Plaintiff joined on April 4, 2020. ECF No. 14. The parties are working through their discovery issues and hope to avoid bringing any such disputes to the Court.

Wherefore, the Plaintiffs, Kim Mitchell, Rommy Henley, Raphael Zilch, Edward Storozuk, Brian Sherman, and Joe Newhart, request that discovery be extended until through April 27, 2021.

Respectfully submitted,

**Kim Mitchell, Rommy Henley, Raphael Zilch,
Edward Storozuk, Brian Sherman, and Joe
Newhart**

By: /s/Bert Zaczek
One of Plaintiffs' attorneys

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